

**THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION**

**LATTIME CONSTRUCTION AND)
HOME BUILDING, INC.)
PLAINTIFF,) CASE NO.: 1:05-CV-1062-F
VS.)
CENTURYTEL SERVICE GROUP,)
L. L. C., et al.,)
DEFENDANTS.)**

PLAINTIFF'S RULE 26(a)(1) DISCLOSURES

Plaintiff provides its initial disclosures pursuant to Federal Rules of Civil Procedure 26(a)(1) as follows:

1. Rule 26(a)(1) disclosures: Plaintiff may use the following named persons who are likely to have discoverable information to support Plaintiffs claims:

- (a). Rick Lattime, 203 Dempsey Court, Dothan, Alabama, 36303.
- (b). John Huber, L. M. Berry & Company, 2348 Sterington Road, Suite 4, Monroe, LA, 71203.
- (c). Representative of CenturyTel Service Group LLC, name and address unknown at this time, but will be furnished when the final witnesses are presented to the Defendants in this case or before when

determined from discovery.

(d). Earl Jernigan CPA, 518 Bob Hall Road, Dothan, Alabama.

(e). Other individuals or companies who have suffered injuries and damages similar to the injuries and damages suffered by the Plaintiff in its claims in this matter. Such individuals or companies have not been determined at this time, but will be furnished as determined.

2. Rule 26(a) (1)(b) disclosures: Plaintiff may use the following categories of documents to support their claims in this case:

(a). Advertisements as drawn and furnished by the Plaintiff to Defendants prior to the 2003 directory coming out.

(b). Plaintiff's tax returns from 2003-2005.

(c). A copy of the contract and fax transmission from The Berry Company dated July 14, 2003.

(d). All letters from Plaintiff's attorney to CenturyTel Service Group LLC, and L. M. Berry & Company and any responses received from said companies.

(e). Demands for payment through telephone bills and correspondence from Defendants to Plaintiff for payment of the fees for the advertisements in the 2003 CenturyTel Service Group directory purchased by the Plaintiff in this case.

(f). Previous advertisements of Plaintiff in the Verizon and GTE directories prior to the 2003 CenturyTel directory coming out.

3. Rule 26(a)(1)(c) disclosures: Plaintiff has not computed any calculations for damages at this time, however, Plaintiff expects to basically compute its damages based on income and other identifiable damages suffered by the Plaintiff as a result of the breach of the agreement and negligence by and of the Defendants suffered by the Plaintiff in this case. These computations will be furnished when determined by computations, discovery or otherwise.

4. Rule 26(a)(1)(d) disclosures: Not applicable.

Submitted this the 20 day of March, 2006.

CERTIFICATE OF SERVICE

I do hereby certify that I have served a copy of the foregoing upon the Honorable Craig A. Alexander, Rumberger, Kirk, & Caldwell, PA, PC, Mountain Brook Center, Suite 480, 2700 Highway 280 East, Birmingham, Alabama 35223 by placing a copy of same properly addressed and postage prepaid in the U.S. mail.

Dated this the 20 day of March, 2006.


John E. BYRD
Attorney for Plaintiff


JOHN E. BYRD (BYR 005)
Attorney for Plaintiff
P.O. Box 536
Dothan, Alabama 36302
(334)794-0759
(334)792-0163 Fax